

Exhibit C

*Excerpts of October 30, 2024
Deposition of Dr. Barber*

1 in aggregating and collecting that data at the precinct
2 level and so the research outlet that compiled these
3 elections, for some reason, maybe hit a snag or some
4 reason that they were unable to do the work for that
5 particular year, but I'm not entirely certain.

6 Q What's the research outlet that compiled the
7 election -- the precinct level election results for these
8 races?

9 A So I obtained these data from a source called
10 Dave's Redistricting. It's a redistricting platform
11 that's publically available and they compile election
12 results. They rely on, in some cases, a team that's
13 called VEST, V-E-S-T. And I'm going to -- I can't
14 remember the -- it's an acronym and I can't remember the
15 exact acronym. It's Voting Election -- I think it might
16 be Voting Election Study Team and it's a group of
17 academics who gather and compile election results and
18 then disaggregate them to the precinct level.

19 Q So you're not disputing that there was a
20 contested Supreme Court race statewide in 2018?

21 MS. RIGGINS: Objection. Go ahead.

22 THE WITNESS: I don't know.

23 Q Do you know whether these are the most
24 probative elections for you to study or include in your
25 partisan index?

1 Court and a judge makes that call.

2 Q Staying with your report, I think I see where
3 my mistaken page number came from, jumping up to page 9,
4 it should be on the screen now, I want to direct your
5 attention to footnote 3, where you list the 19 statewide
6 election results that you considered the conducting your
7 analysis; is that right?

8 A Yes.

9 Q And you use these elections because they were
10 available in Dave's Redistricting Map; is that correct?

11 A Yes, in addition to the fact that they're
12 statewide elections, right.

13 Q Did you consider using any elections besides
14 these?

15 A Not with any serious -- not with any real
16 seriousness, given the difficulty in assembling and
17 aggregating the data. So these were readily available
18 and met the needs of what I felt was necessary to do in
19 this report.

20 Q Fair to say that the reason these are the
21 elections you relied upon is because the data was
22 available and reliable?

23 MS. RIGGINS: Objection. Go ahead.

24 THE WITNESS: Available and reliable and met
25 the -- like met the needs of the task that I was --

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